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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,516	12/09/2003	Brian Jones	60001.297US01	3731
27488 7590 03/05/2007 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER RIES, LAURIE ANNE	
			ART UNIT	PAPER NUMBER
			2176	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/731,516	Applicant(s) JONES ET AL.	
	Examiner Laurie Ries	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 12, 14-17 and 19-23 is/are rejected.
- 7) ☒ Claim(s) 10, 13 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Request for Continued Examination, filed 22 December 2006, to the Original Application, filed 9 December 2003.
2. The objection to the abstract of the disclosure has been withdrawn as necessitated by amendment.
3. The objection to the specification has been withdrawn as necessitated by amendment.
4. The rejection of claims 1-15 under 35 U.S.C. 102(b) as being clearly anticipated by Case Western Reserve University (CRWU), "Introduction to HTML," hereinafter "CRWU", has been withdrawn as necessitated by amendment and newly found prior art.
5. Claims 1-23 are pending. Claims 1, 11, 16, and 23 are independent claims.

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9, 11-12, 14-15, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Case Western Reserve University (CWRU), "Introduction to HTML," hereinafter "CWRU", in view of Ayers, "AbiWord's Potential", hereinafter "Ayers and Rohr, "RE: Styles Again", hereinafter "Rohr".

As per independent claims 1, 11, and 23, CWRU teaches a method and system of representing list information in a markup language document including describing lists of data within the document, specifically a list with properties and attributes relating to at least one section of the document are mapped to a markup language and inherently stored (See CWRU, Pages 1-2 and Pages 5-6).

CWRU also teaches determining whether the list is a new list that follows a previously determined list, and including a list override when the list is a new list (See CWRU, Pages 61-62 and pages 68-70).

CWRU does not teach expressly internally representing an application document in an application, such as a word processing application, where the internal representation is in a format that is native to the application and the internal representation includes unique properties defined by the application.

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Ayers teaches: "The most significant difference between AbiWord and nearly every other word processor available is the nature of the native file format. An *.abw file is written in XML and thus is also in ASCII format; the files can be read by any text editor." See, Ayers, page 2, fourth paragraph. Therefore, Ayers teaches the limitation of "a document that has been generated by an application that uses a file format that is specific to the application," and more specifically, teaches a native file format in a markup language, specifically XML.

Rohr teaches including unique properties for describing fields within a document, such as character properties and paragraph properties. Rohr further teaches that the unique properties relate to at least one section of the application document, such as a paragraph within the application document (See Rohr, entire document).

CWRU, Ayers and Rohr are analogous art because they are from the same field of endeavor of creating and manipulating electronic documents.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the representation of an application document in a format that is native to the application, as taught by Ayers, with the list information of CWRU. The motivation for doing so would have been to allow for an extensible definition of the list information so as to provide basic Open Source business applications for Linux, Windows, and BeOS users (See Ayers, Page 2, 2nd paragraph).

At the time of the invention it would also have been obvious to one of ordinary skill in the art to include the definition of character and paragraph properties of Rohr with the functionality of CWRU and Ayers. The motivation for doing so would have

been to set the properties of the various components of the document, such as affecting the color of the text within a paragraph of the document (See Rohr, Page 1, italicized text at mid-page). Therefore, it would have been obvious to combine Rohr with CWRU and Ayers for the benefit of setting the properties of the various components of the document, such as affecting the color of the text within a paragraph of the document, to obtain the invention as specified in claims 1, 11, and 23.

As per dependent claim 2, CWRU, Ayers and Rohr teach the limitations of claim 1 as described above. CWRU also teaches determining whether the list is a picture bulleted list (See CWRU, pages 74-82).

As per dependent claim 3, CWRU, Ayers and Rohr teach the limitations of claim 2 as described above. CWRU also teaches that specified element and attribute are included to store the picture bullet image information and picture bullet identifier when the list is a picture bullet list (See CWRU, Pages 1-2, 5-6 and 74-82).

As per dependent claim 4, CWRU, Ayers and Rohr teach the limitations of claim 1 as described above. CWRU also teaches determining whether the list is a new list within the application document, where the list is a new list when the application document includes a previously presented list within the document (See CWRU, Pages 61-62 and 68-70).

As per dependent claim 5, CWRU, Ayers and Rohr teach the limitations of claim 4 as described above. CWRU also teaches providing a list override such that the instances and definitions of the new list and the previously presented list are separated when stored in the markup language file (See CWRU, Pages 61-82).

As per dependent claim 6, CWRU, Ayers and Rohr teach the limitations of claim 1 as described above. CWRU also teaches mapping a level tag that corresponds to the level of an item within a list (See CWRU, Pages 62-64 and 68-71).

As per dependent claim 7, CWRU, Ayers and Rohr teach the limitations of claim 6 as described above. CWRU also teaches that the level tag allows the list to define the indentation of a level and the character used to represent the level (See CWRU, Pages 61-82).

As per dependent claim 8, CWRU, Ayers and Rohr teach the limitations of claim 1 as described above. CWRU also teaches separate lists with elements and attributes stored (See CWRU, Pages 1-2 and 5-6).

As per dependent claims 9 and 12, claims 9 and 12 are rejected on the grounds used in rejection of claim 1 above, and claims 9 and 12 additionally incorporate substantially similar subject matter as that claimed claim 1 above, and are additionally rejected along the same rationale as used in the rejection of claim 1.

As per dependent claim 14, claim 14 is rejected on the grounds used in rejection of claim 2 above, and claim 14 additionally incorporates substantially similar subject matter as that claimed claim 2 above, and is additionally rejected along the same rationale as used in the rejection of claim 2.

As per dependent claim 15, claim 15 is rejected on the grounds used in rejection of claim 3 above, and claim 15 additionally incorporates substantially similar subject matter as that claimed claim 3 above, and is additionally rejected along the same rationale as used in the rejection of claim 3.

7. Claims 16-17 and d19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Case Western Reserve University (CRWU), "Introduction to HTML," hereinafter "CRWU", in view of Ayers, "AbiWord's Potential", hereinafter "Ayers, Rohr, "RE: Styles Again", hereinafter "Rohr", and Lemay, Laura, "Teach Yourself Web Publishing with HTML 4 in 14 Days, Professional Reference Edition," hereinafter "Lemay".

As per independent claim 16, CWRU teaches a method and system of representing list information in a markup language document including describing lists of data within the document, specifically a list with properties and attributes relating to at least one section of the document are mapped to a markup language and inherently stored (See CWRU, Pages 1-2 and Pages 5-6).

CWRU also teaches determining whether the list is a new list that follows a previously determined list, and including a list override when the list is a new list (See CWRU, Pages 61-62 and pages 68-70).

CWRU does not teach expressly internally representing an application document in an application, such as a word processing application, where the internal representation is in a format that is native to the application and the internal representation includes unique properties defined by the application.

Ayers teaches: "The most significant difference between AbiWord and nearly every other word processor available is the nature of the native file format. An *.abw file is written in XML and thus is also in ASCII format; the files can be read by any text editor." See, Ayers, page 2, fourth paragraph. Therefore, Ayers teaches the limitation of "a document that has been generated by an application that uses a file format that is specific to the application," and more specifically, teaches a native file format in a markup language, specifically XML.

Rohr teaches including unique properties for describing fields within a document, such as character properties and paragraph properties. Rohr further teaches that the unique properties relate to at least one section of the application document, such as a paragraph within the application document (See Rohr, entire document).

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the representation of an application document in a format that is native to the application, as taught by Ayers, with the list information of CWRU. The motivation for doing so would have been to allow for an extensible definition of the list information so as to provide basic Open Source business applications for Linux, Windows, and BeOS users (See Ayers, Page 2, 2nd paragraph).

At the time of the invention it would also have been obvious to one of ordinary skill in the art to include the definition of character and paragraph properties of Rohr with the functionality of CWRU and Ayers. The motivation for doing so would have been to set the properties of the various components of the document, such as affecting

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the color of the text within a paragraph of the document (See Rohr, Page 1, italicized text at mid-page).

CWRU also does not explicitly teach a validation engine configured to validate the markup language document.

Lemay teaches the use of a validation engine to validate markup language code. CWRU, Ayers, Rohr, and Lemay are analogous because they are from the same field of endeavor of creating and manipulating electronic documents.

It would have been obvious to one of ordinary skill in the art to validate a markup language document with a validation engine. The suggestion or motivation for combining markup language code with a validation engine is implicitly stated in CWRU. Specifically, See, CWRU, page 27, second full paragraph, teaching testing the code. The suggestion or motivation for combining markup language code with a validation engine is explicitly stated in Lemay. See Lemay, pages 778-789.

As per dependent claim 17, claim 17 is rejected on the grounds used in rejection of claim 16 above, and claim 17 additionally incorporate substantially similar subject matter as that claimed claim 16 above, and are additionally rejected along the same rationale as used in the rejection of claim 16.

As per dependent claim 19, CWRU, Ayers, Lemay, and Rohr teach the limitations of claim 16 as described above. CWRU also teaches determining whether the list is a picture bulleted list (See CWRU, pages 74-82).

As per dependent claim 20, CWRU, Ayers, Lemay, and Rohr teach the limitations of claim 19 as described above. CWRU also teaches that specified element

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and attribute are included to store the picture bullet image information and picture bullet identifier when the list is a picture bullet list (See CWRU, Pages 1-2, 5-6 and 74-82).

As per dependent claim 21, CWRU, Ayers, Lemay, and Rohr teach the limitations of claim 16 as described above. CWRU also teaches determining whether the list is a new list within the application document, where the list is a new list when the application document includes a previously presented list within the document (See CWRU, Pages 61-62 and 68-70).

As per dependent claim 22, CWRU, Ayers and Rohr teach the limitations of claim 16 as described above. CWRU also teaches providing a list override such that the instances and definitions of the new list and the previously presented list are separated when stored in the markup language file (See CWRU, Pages 61-82).

Allowable Subject Matter

8. Claims 10,13, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is 571-272-4095. The examiner can normally be reached on M-F, 6:00am-3:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR


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